

Ohio courts must report mental health info

Tri-City Herald
The Associated Press
January 5, 2014

COLUMBUS, Ohio — Courts in Ohio must now report certain mental health information about people convicted of violent crimes for inclusion in a law enforcement database.

A rule approved by the Ohio Supreme Court requiring that notification took effect Jan. 1. The court devised the new document that judges must submit to police about violent offenders with a mental illness under legislation signed into law last year by Gov. John Kasich.

The law requires judges to report order when they order mental-health evaluations or treatment for people convicted of a violent crime or approve conditional release for people found incompetent to stand trial or not guilty by reason of insanity. In response to the law, the state Supreme Court had to devise a rule for judges to follow in making those reports.

"Having that information is power," Clark County Sheriff Gene Kelly told The Columbus Dispatch (<http://bit.ly/KoEKkm>). "It allows us to more properly diagnose a situation."

The legislation known as the Deputy Suzanne Hopper Act was introduced after the Clark County Sheriff's deputy was fatally shot in 2011 by a man with a criminal history who had been conditionally released from a mental health institution. There was no readily available database then to alert law enforcement about a violent offender's mental health history.

With that information entered into a national database, deputies and officers will now be able to determine how to approach a person with a history of violence and mental illness when serving subpoenas or probate orders or making stops, Kelly said.

"We certainly don't think that this means every officer is going to be safe, but the more information we have, the more we have in our favor," Jay McDonald, president of the Ohio Fraternal Order of Police, told the newspaper.

Laura Moskow Sigal, executive director of Mental Health America of Franklin County, said putting names of violent criminals diagnosed with mental illness in the database is appropriate. But she is concerned that people's names could be wrongly entered, with no recourse to get their names expunged.

"Our big concern is what happens when someone commits a violent act and then is evaluated and does not have a mental-health issue," Sigal said. "They then end up being on a database nationwide when they don't have a mental-health issue. That's a severe infringement on civil rights."

Betsy Johnson, associate executive director of the National Alliance on Mental Illness Ohio, said her organization supports the Ohio law and believes "the more information that law-enforcement officers have prior to arriving on a scene, the better."

Hopper was shot on New Year's Day 2011 by Michael Ferryman at a trailer park near the village of Enon in Clark County. She was investigating a report of shots fired and did not know that Ferryman had been accused of shooting at officers in 2001 in another county and was later found not guilty by reason of insanity. He was killed in a shootout with police at the trailer park.

Read more here: <http://www.tri-cityherald.com/2014/01/05/2760391/ohio-courts-must-report-mental.html#storylink=cpy>